



U.S. Department of Justice

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January 7, 2019

Honorable James O. Browning
United States District Court Judge
Pete V. Domenici United States Courthouse
333 Lomas Blvd NW, Suite 660
Albuquerque, New Mexico 87102

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 26 2019

RE: United States v. Angel De Leon, et al.
No. 15-CR-4268 JB

CLERK

Your Honor:

This letter responds to the following request from the Court at the motions hearing commencing on December 18, 2018:

THE COURT: What would you think about a request from me to you to talk -- who is going to do the appeal? Mr. Richardson?

MR. CASTELLANO: Maybe Richard Williams, possibly.

THE COURT: Richard Williams. All right. What if you ask him to look now at this jury instruction, the reply, and see if he's going to confess error on any one of those instructions and then just rely on plain error review, or whether he's going to defend substantively each one of those jury instructions, and then just send me a letter and tell me how the Government is going to proceed.

Motions hearing transcript at page 73.

The undersigned has reviewed the jury instructions (Doc. 2303), Defendant Troup's Reply in Support of his Motion for New Trial (Doc. 2466), and other pertinent materials. Based on the United States' understanding of the record on appeal and the applicable legal principles, the United


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States responds that it does intend to defend on appeal the relevant jury instructions both substantively and under plain error review.

Sincerely yours,

JOHN C. ANDERSON
United States Attorney


RICHARD C. WILLIAMS
Assistant U.S. Attorney

c: Counsel of Record

RCW/mea